

# In the Court of Appeals of the State of Alaska

**Gavin Higgins,**

Appellant,

v.

**State of Alaska,**

Appellee.

Trial Court Case No. **3AN-17-06287CI**

Court of Appeals No. **A-13132**

## **Order**

Motion for Leave to File  
Medical Report Under Seal

Date of Order: **6/11/2021**

Attorney Marilyn J. Kamm represents the Appellant, Gavin Higgins, in this appeal. Ms. Kamm has filed a motion implicitly requesting that she be allowed to supplement the record on appeal with a physician's report from June 2013, and to file this report under seal. The State does not oppose filing the report, but contends that the report should be filed as confidential rather than filed under seal. Because it appears that the physician's report was before the trial court, but was by accident or error not made part of the trial court record, **IT IS ORDERED:**

1. The motion to supplement the record with the physician's report is **GRANTED**. But because the physician's report does not contain any information that justifies filing it under seal, the Appellate Clerk's Office is directed to label the report as "confidential." Under Administrative Rule 37.5, "confidential" means access to the record is restricted to the parties to the case, counsel of record, individuals with a written order from the court authorizing access, and court personnel for case processing purposes only.

2. The Clerk's Office is also directed to have the report numbered and scanned into the electronic record, and to then provide copies of the material to the parties.

3. Once the copies of the new material is distributed to the parties, the Court will resume consideration of this case.

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Entered at the direction of Chief Judge Allard.

Clerk of the Appellate Courts

  
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Julie Kentch, Deputy Clerk

cc: ACRO

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